REMARKS

This amendment responds to the Office Action dated September 24, 2002 in which

the Examiner objected to the disclosure, and rejected claims 1-17 under 35 U.S.C. §

102(e).

Applicants respectfully request the Examiner consider the Information Disclosure

Statement filed September 10, 2002.

As indicated above, the specification has been amended in order to correct a minor

informality. In particular, the timer T2 is cleared when a delete switch is not pressed or

when an UP switch 6 is pressed for renewal of a frame image to be displayed (see steps

S110-S150). It is respectfully requested that the Examiner approves the correction and

withdraws the objection to the disclosure.

As indicated above, the claims have been amended in order to make explicit what is

implicit. It is respectfully submitted that the amendment is unrelated to a statutory

requirement for patentability and does not narrow the literal scope of the claims.

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Lamaire*

et al. (U.S. Patent No. 6,378,053).

Lamaire et al. appears to disclose storage memory in a data processing system

and/or a network of computers. (col. 1, lines 9-10) A cache directory entry (CDE) is

shown in FIG. 4 and is used by a cache manager 254 for managing a network object cache.

(col. 5, lines 43-45) In FIG. 4, the full network object name is stored in the CDE field

410 and the type of object is stored in the CDE field 420. (col. 5, lines 61-63)

Thus, *Lamaire et al.* merely discloses storing an object name and type of object in a cache directory entry (CDE). Nothing in *Lamaire et al.* shows, teaches or suggests a setting up rank data based upon processing as claimed in claims 1 and 4. Rather, *Lamaire et al.* merely discloses storing an object name and type.

Since nothing in *Lamaire et al.* shows, teaches or suggests setting up rank data based upon processing as claimed in claims 1 and 4, it is respectfully requested that the Examiner withdraws the rejection to claims 1 and 4 under 35 U.S.C. § 102(e).

Claims 2-3 depend from claim 1 and recite additional features. It is respectfully submitted that claims 2-3 would not have been anticipated within the meaning of 35 U.S.C. § 102(e) by *Lamaire et al.* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 2-3 under 35 U.S.C. § 102(e).

Claims 14-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Takahashi et al.* (U.S. Patent No. 6,348,974).

Takahashi et al. appears to disclose a digital copying machine has come to be widely used as an image forming apparatus. This image forming apparatus has an electronic sort copying function that an input image read by a scanner, which is an image reading device, is compressed and stored as image information in a page memory provided with a file area partitioned in pages each as a unit and thereafter, this image information is expanded and printed (formation of a visual image on a medium) and a predetermined number of copies of each document are produced, and a group or a stack function that the image information thus expanded is printed on the predetermined number of sheets for each

page of the document. (col. 1, lines 11-23) The status indicator 117 indicates a status of the copying machine by displays of various kinds of pictures and characters while flashing. (col. 12, lines 15-18) At the same time when printing of a predetermined mth copy of the original is completed in step S125 in such a manner, the image information of all the pages of the original is accessed and deleted at one time. (col. 21, lines 30-33)

Thus, *Takahashi et al.* merely discloses a status indicator 117. Nothing in *Takahashi et al.* shows, teaches or suggests recording ID data of a second recording medium indicating that an image is transferred as claimed in claims 14 and 17. Rather, *Takahashi et al.* merely discloses a status indicator indicating the status of the copying machine.

Since nothing in *Takahashi et al.* shows, teaches or suggests recording ID data of a second recording medium indicating that an image is transferred as claimed in claims 14 and 17, it is respectfully requested that the Examiner withdraws the rejection to claims 14 and 17 under 35 U.S.C. § 102(e).

Claims 13-16 and 18 depend from claims 14 and 17 and recite additional features. It is respectfully submitted that claims 13-16 and 18 would not have been anticipated by *Takahashi et al.* within the meaning of 35 U.S.C. § 102(e) for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 13-16 and 18 under 35 U.S.C. § 102(e).

Claims 5-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Johnson* (U.S. Patent No. 5,924,092).

Johnson appears to disclose array data structures implemented in computer and data

processing systems, and in particular, the manipulation of data structures in applications

such as memory compression. (col. 1, lines 6-9) A sorting algorithm is applied to an

array data structure to arrange array elements based on probability of modification. (col.

2, lines 6-8) Typically, most memory accesses are made to cached memory. Whenever a

memory access is to a location not stored in the cache, setup table 48 is accessed to fetch

the compressed data from partition 44, decompress the data, and store it in the cache. If

the cache is full, however, "old" data must first be removed from the cache to make room

for the recently accessed data. The old data is typically processed by a compression engine

to recompress the data with a higher compression ratio and store it back in partition 44.

(col. 5, lines 36-45)

Thus, *Johnson* merely discloses recompressing "old" data. Nothing in *Johnson*

shows, teaches or suggests changing a compression rate based upon output from a timer as

claimed in claims 5 and 8. Rather, *Johnson* merely discloses recompressing old data.

Additionally, *Johnson* merely discloses that "old" data is recompress and stored

back in partition 44. Nothing in *Johnson* shows, teaches or suggests determining an

evaluation value in accordance with processing to be executed for an image and setting up a

lower evaluation value based upon an output from a detector as claimed in claims 10 and

12. Rather, *Johnson* merely discloses recompressing old data and storing it in a partition

when a cache is full.

Since nothing in *Johnson* shows, teaches or suggests a) changing a compression rate

based upon output from a timer, as claimed in claims 5 and 8, or b) determining an

evaluation value based upon processing to be executed and setting a lower evaluation value

based upon a detected time as claimed in claims 10 and 12, it is respectfully requested that

the Examiner withdraws the rejection to claims 5, 8, 10 and 12 under 35 U.S.C. § 102(e).

Claims 6-7, 9, 11 and 13 depend from claims 5, 8, 10 and 12 and recite additional

features. It is respectfully submitted that claims 6-7, 9, 11 and 13 would not have been

anticipated by *Johnson* within the meaning of 35 U.S.C. § 102(e) at least for the reasons as

set forth above. Therefore, it is respectfully requested that the Examiner withdraws the

rejection to claims 6-7, 9, 11 and 13 under 35 U.S.C. § 102(e).

Thus, it now appears that the application is in condition for reconsideration and

allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for

allowance, it is respectfully requested that the Examiner contact, by telephone, the

applicants' undersigned attorney at the indicated telephone number to arrange for an

interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened

statutory period, applicants respectfully petition for an appropriate extension of time. The

fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our

Deposit Account No. 02-4800.

Respectfully submitted,

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Marked-up Copy of Specification

Page 20, Paragraph Beginning at Line 2

Next, referring to a flowchart shown in FIG. 7(a), a processing for writing the history data concerning the image file into the memory card 8 in the digital camera 1 will be explained. As mentioned above, by sliding the photo/reproduce mode setup switch 14 into the right, the reproduce mode is set up. In the reproduce mode, when any switch is pressed (YES in S100), and if the pressed switch is the UP switch 6 (YES in S110), and if the pressed switch is the UP switch 6 (YES in S110), a timer T1 (later described) of the display time for reproducing the image, which is currently counted, is cleared (S120). After incrementing the display frame number (S130), the process goes to a step for renewing the frame image to be displayed (S140). For example, if the UP switch 6 is pressed in a state of displaying No. 3 frame, the next frame No. 4 is displayed. Then, a timer T1 for counting a display time for a renewed frame image is started (S150). The process nextly goes to a step for clearing a timer T2 [which renews the value] when [none of] the delete switch is not pressed or after a frame image to be displayed has been renewed (S160), and then, goes to a step for starting the timer T2 again (S170). The timer T2 is used for auto-power-off procedure which turns off the power when the value is a predetermined value or more.

<u>**Marked-up Claims 1, 4-6, 8, 10, 12, 14 and 17**</u>

1.   (Amended) An image processing device for processing images which are recorded in a recording medium, comprising:

an indicator which commands a processing to be executed for the image;

a [setter] <u>controller</u> which sets up <u>rank</u> data in accordance with the processing commanded by said indicator;

a deletion directional member which directs to delete the image recorded in said image recording medium;

a compressor which compresses the image based on said data when said deletion directional member directs to delete the image; and,

a recorder which stores the compressed image.

4.   (Amended) An image processing method for processing images which are recorded in a recording medium, comprising:

a step of commanding a processing to be executed for the image;

a step of setting up <u>rank</u> data in accordance with the commanded processing;

a step of directing to delete the image recorded in said image recording medium;

a step of compressing the image based on said data when the deletion of the image is directed; and,

a step of storing the compressed image.

Marked-up Claims 1, 4-6, 8, 10, 12, 14 and 17

5.   (Amended) An image processing device for processing images which are recorded in a recording medium, comprising:

an indicator which commands a processing to be executed for the image;

a recorder which records a time when the indicator commands a processing;

a timer which measures an elapsed time since said time; and,

a [setter] controller which [sets up] changes a compression rate, which is set in accordance with an evaluation value for the image, based on output from said timer.

6.   (Amended) The image processing device as claimed in claim 5, further comprising:

a detector which detects that said indicator gives no command for a predetermined time or more based on the output from said timer; and

[a] the controller which controls so as to increase said compression rate based on the output from said detector.

8.   (Amended) An image processing method for processing images which are recorded in a recording medium, comprising:

a step of commanding a processing to be executed for the image;

a step of recording a time when the indicator commands a processing;

a step of measuring an elapsed time since said time; and,

Marked-up Claims 1, 4-6, 8, 10, 12, 14 and 17

a step of [setting up] changing a compression rate, which is set in accordance with an evaluation value for the image data, based on said measured date and time.

10.   (Amended) An image processing device for processing images which are recorded in a recording medium, comprising:

an indicator which commands a processing to be executed for the image;

a [setter] controller which sets up an evaluation value in accordance with processing to be executed for the image;

a recorder which records a time when said indicator commands a processing;

a timer which measures an elapsed time since said time;

a detector which detects that said indicator gives no command for a predetermined time or more based on the output from said timer; and,

[a] the controller which sets up a lower evaluation value based on the output from said detector.

12.   (Amended) An image processing method for processing images which are recorded in a recording medium, comprising:

a step of commanding a processing to be executed for the image;

a step of setting up an evaluation value in accordance with processing to be executed for the image;

a step of recording a time when said processing is commanded;

Marked-up Claims 1, 4-6, 8, 10, 12, 14 and 17

a step of measuring an elapsed time since said time; and,

a step of setting a lower evaluation value when no command is given for the image

for a predetermined time or more.

14.   (Amended) An image processing system for processing images which are

recorded in a recording medium, comprising:

a transfer circuit which transfers images recorded in a first recording medium, into

a second recording medium differing from the first recording medium;

a recorder which records ID data of said second recording medium, said ID data

indicating that the image recorded in said first recording medium is transferred into said

second recording medium;

a deletion directional member which directs to delete the image recorded in said

first recording medium;

a detector which detects whether the image has already been transferred into said

second recording medium based on said data when said deletion directional member directs

to delete the image; and,

an indicator which indicates the detecting result output from said detector.

17.   (Amended) An image processing method for processing recorded images,

comprising:

Marked-up Claims 1, 4-6, 8, 10, 12, 14 and 17

a step of transferring image recorded in a first recording medium, into a second recording medium differing from the first recording medium;

a step of recording ID data of the second recording medium indicating that the image is transferred;

a step of directing to delete the image;

a step of [judging] determining whether the image has already been transferred into said second recording medium based on said data when the deletion of the image is directed; and,

a step of indicating the [judgment] result.